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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/671,957	09/27/2000	Inching Chen	42390.P9234 8316	
75	90 02/10/2004	EXAMINER		
Daniel M De		CZEKAJ, DAVID J		
Blakely Sokolo 7th Floor	ff Taylor & Zafman LLP	ART UNIT	PAPER NUMBER	
12400 Wilshire		2613		
Los Angeles, CA 90025			DATE MAILED: 02/10/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the MAILING DATE OF THIS COMMUNICATION. If the paried for righty septime in the maining date of this communication. If the paried for righty septime the maining date of this communication. If the paried for righty septime date of this communication. If the paried for righty septime date of this communication. If the paried for righty septime date of this communication. If the paried for righty septime date of this communication. If the paried for righty septime the maining date of this communication and rights of the paried for righty septime the septime of the paried of t									
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THE MAILING DATE OF THIS COMMUNICATION. Edenions of me may be waitable under the provisions of 3 CFR 1.13(6). In no event, however, may a reply be timely filled after SX (6) MONTHS from the mailing date of this communication. Follow (6) MONTHS from the mailing date of this communication. Follow (7) MONTHS from the mailing date of this communication. Follow (8) MONTHS from the mailing date of this communication. Follow (8) MONTHS from the mailing date of this communication. Follow (8) MONTHS from the mailing date of this communication. Follow (8) MONTHS from the mailing date of this communication. Follow (8) MONTHS from the mailing date of this communication. Follow (8) MONTHS from the mailing date of this communication. Follow (8) MONTHS from the mailing date of this communication. Follow (8) MONTHS from the mailing date of this communication. Follow (8) MONTHS from the mailing date of this communication. Any reby review by the Office date than the the mailing date of this communication. Provided the mailing date of this communication. Any reby review by the Office date than the this communication. This action is FINAL. 20) This action is FINAL. 21) Months from the mailing date of this communication. Application of Claims 4) Claim(8) 1-11 is/are pending in the application. 4a) Of the above claim(8)			nication appears on th	ne cover sheet with the d	correspondence address				
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2a] This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 7) Claim(s) is/are objected to by the Examiner. 8) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of Praftsperson's Patent Drawing Review (PTO-948) Sinciples of International Disclesure of Informal Patent Application (PTO-152) Sinciples of Informal Patent Application (PTO-152) Sinciples of Informal Patent Application (PTO-152) Sinciple	Status								
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Page 2

Application/Control Number: 09/671,957

Art Unit: 2613

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 10-21, 39-41, drawn to user requested video, classified in class
 725, subclass 95.
 - II. Claims 7-9, 36-38, drawn to defining a region of interest using substreams, classified in class 382, subclass 282.
 - III. Claims 22-29, drawn to a video distribution network, classified in class725, subclass 109.
 - IV. Claims 1-6, 30-35, drawn to a specific decoder utilizing spatial location, classified in class 375, subclass 240.25

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II-IV are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the user requested video can use a variety of decoders, substreams, and distribution networks in order to obtain/display the video desired. The subcombination has separate utility such as a decoder for decoding video not in the user requested video environment, a substream creation scheme for creating substreams not related to the user requested video environment,

Application/Control Number: 09/671,957

Art Unit: 2613

and a video distribution network for distributing video not in the user requested video environment .

- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Mr. DeVos on January 29, 2004 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (703) 305-3418. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Application/Control Number: 09/671,957

Art Unit: 2613

Page 4

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CHRIS KELLEY SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2600